



Cal/EPA

Operator Certification



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Defining Compliance

Operators Accountable to State and Regional Boards

The Office of Operator Certification (OOC) recognizes that not all operators are able to personally attend conferences and conventions. This is the third in a series of articles outlining material presented by the OOC at conferences and conventions. A presentation outlining operator certification compliance is available through the OOC at any location showing sufficient interest.

Who's that inspector visiting your plant? Are they from the State Water Resources Control Board (State Board), or from the Regional Water Quality Control Board (Regional Board)? Which State government agency oversees wastewater plant operations and operators? It turns out that it is both. And to top it off, throughout the State, there are actually ten agencies - the State Board and nine Regional Boards. And, to add to the confusion, there are 14 locations within the State, since the State Board has two offices and one of the Regional Boards has three offices while another has two.

These agencies work together to make sure that wastewater treatment facilities meet regulatory requirements that apply to operator certification as well as wastewater treatment plant discharge requirements. The Regional Boards are semi-autonomous portions of the State Board. The nine Regional Boards are North Coast, San Francisco Bay, Central Coast, Los Angeles, Central Valley, Lahontan, Colorado River Basin, Santa Ana, and San Diego.

The State and Regional Boards are also a part of Cal/EPA, which also oversees the activities of the Air Resources Board, Department of Pesticide Regulation, Department of Toxic Substances Control, Integrated Waste Management Board, and Office of Environmental Health Hazard Assessment.

Wastewater treatment plant operators are most familiar with the unit within the State Board known as the Office of Operator Certification. In addition, the State Board has numerous other programs and responsibilities. The two primary functions of the State Board are water quality protection and water rights allocation. The Division of Water Quality and the Division of Clean Water Programs, along with the Regional Boards, direct regulatory and non-regulatory programs to control waste discharges to ground and surface waters. The Division of Water Rights issues permits and licenses to divert water. The State Board's web site at www.swrcb.ca.gov provides further program descriptions, water news, and current meeting agendas. Clicking on the "Programs" button will lead you towards the wastewater operator certification program. Clicking on "Regional Boards" will lead you to the many web sites of the Regional Boards.

The operator certification program is in the Division of Clean Water Programs and issues new and renewal operator certificates, administers the operator certification examination, and has authority to discipline an operator for misconduct. The discipline may include reprimands, revoking a certificate, suspending a certificate, or an Administrative Civil Liability (fine).

The Regional Boards issue Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) Permits for wastewater plants within their respective regions. Regional Boards use the Notice of Violation, Cleanup and Abatement Order, Cease and Desist Order, and the Administrative Civil Liability as enforcement tools.

A Chief Plant Operator (CPO) should be familiar with the Regional Board since the CPO sends the monthly self-monitoring report to the Regional Board office. Wastewater plant operators will likely see Regional Board inspectors visiting their plant. Regional Board inspectors are mainly concerned with the wastewater treatment plant effluent meeting the waste discharge requirements. Experienced inspectors may also make recommendations concerning operational staffing of a wastewater plant, if the inspector feels that staffing can impact the plant's capability of meeting waste discharge requirements. A less likely, though not uncommon, visitor to a wastewater plant is the State Board inspector. After a wastewater plant is built or expanded with State Revolving Funds or a Small Community Grant, a State Board inspector will ensure that the project follows the original design specifications. In the unlikely event of a complaint of certified operator misconduct, a State Board inspector may show up as an investigator to ask questions concerning the allegation.

It is helpful to remember that these are separate agencies, and that inspectors from one agency are not experts in the other agency's programs. For example, the Regional Board inspector will likely not know when the next operator certification examination will be given. Conversely, the State Board inspector or investigator may not know about a plant's self-monitoring reports or plant discharge violations.

Operator Certification is a newsletter published by the State Water Resources Control Board, Office of Operator Certification. Continuing issues will introduce staff, publish articles of interest to certified operators, and highlight enforcement actions taken throughout the State. To submit story ideas, comments, or suggestions please call (916) 227-4362.

Operator Examination is a Year-Round Process

The Office of Operator Certification gives examinations for five grade levels of wastewater treatment plant operators twice each year. Contrary to what some operators may believe, the operator examination is not made up just prior to the examination date. The process of preparing for the two tests is a year-round process. The Office of Operator Certification and the Operation Unit, both in the Division of Clean Water Programs, are the two groups who work together in producing the certification examinations.

The Office of Operator Certification keeps all records on wastewater plant operators, treatment plant classification, and contract operators. The Office of Operator Certification sends out all standard correspondence, such as renewal notices and examination results. The Operation Unit, which consists of engineers, provides technical support to the Office of Operator Certification by preparing, reviewing, and grading the wastewater operator certification examination.

Two tests are given each year, on the first Saturdays in April and October. Preparations for the April examination begin in December when an examination coordinator (Coordinator) is chosen. The job is rotated among the engineers in the Operation Unit. Another one of the engineers in the Operation Unit maintains the examination question database and puts together a proposed examination for each certification grade level. He follows the guidance given in the California Code of Regulations, which describes the material for each level of certification.

The Coordinator assigns specific examination problems to the other engineers within the Operation Unit for closer review. By middle to late January, the Operation Unit has worked all of the problems and have met to discuss what may be considered unclear. While operators are filling out their applications to meet the February 1 deadline, the Operation Unit puts the finishing touches on the draft examinations.

An Exam Review Subcommittee, composed of volunteers from the Operator Certification Advisory Committee, reviews the examinations in late January to early February. The Subcommittee members raise concerns about technical applicability or trouble spots they find while working out, or reviewing, the draft examination problems. Also in February, the Office of Operator Certification coordinates and confirms test site locations.

The examinations are reviewed one last time by the Coordinator before final printing in March. Each grade level is printed in a different color for easy identification. The Office of Operator Certification assembles the examination packages and a Proctor meeting is held approximately two weeks prior to the examination. The Proctors, who work at the State Water Resources Control Board, hand carry the examinations to the test sites throughout California. At the larger testing sites, additional proctors will come from local treatment facilities or agencies.

After the examination, a machine grades the Scantron portion of the examinations, which is done by the middle of April. In late April, the Operation Unit completes hand grading of the

math portion of the Grade I and II examinations for partial credit. Hand grading of the Grade III, IV, and V examinations is completed by middle to late May.

Those examinees scoring within 10% of passing are considered to be “borderlines.” In early May, borderline Grade I and II examinations are reviewed again to determine if additional points can be awarded and result in a passing score. The final Grade I and II scores are given to the Office of Operator Certification by the middle of May. Grade I and II results are released in late May or early June. In early June, borderline Grade III, IV, and V examinations are reviewed and final scores are turned over to the Office of Operator Certification by the middle of June. Grade III, IV, and V results are released in mid to late June.

During July, those who do not pass their examination may review their graded test. The review is a courtesy to give the examinee an opportunity to see what aspects of the test they need to improve upon. The review is not intended for those who would like to increase or appeal their test score. However, those who believe there was a grading error may ask the Operation Unit to review their exam. An engineer will evaluate the request and reply in writing.

Meanwhile, back in June, the upcoming October examination has already been drafted and another examination coordinator is finalizing the schedule. And the process starts again.

Wastewater Examination Passing Rates

For all grade levels, the wastewater operator examination passing rates increased from Spring 1999 to Fall 1999. Table 1 gives the number of operators tested, the number of operators who passed, and the percentage of those passing each of the last two operator certification exams.

Table 1 : Certification Exam Statistics

Date	April 10, 1999			October 2, 1999		
Grade	Tested	Passed	% Pass	Tested	Passed	% Pass
I	123	80	65	100	69	69
II	127	61	48	116	71	61
III	112	35	31	85	58	68
IV	49	18	37	42	28	67
V	40	18	45	28	21	75

Administrative Actions by the State Water Resources Control Board

Administrative sanctions include fines, reprimand or denial, suspension, probation, or revocation of a certificate pursuant to Section 13627 of the Water Code and may be taken by the SWRCB against any person, agency, district, or other entity found in violation of specific sections of the Operator Certification Regulations or Water Code.

Actions Against Operator Certificates

The following are administrative sanctions taken by the SWRCB against California certified operators.

Jamal Khan

Misconduct: Dishonest Conduct During Grade III Examination

Discipline: Suspension of Grade II certificate for 6 months (suspended if subject pays a \$500 fine and successfully completes an approved ethics course); Cannot apply for higher certificate for three (3) years.

A Board Hearing upheld the Division finding that Mr. Khan acted dishonestly by using personal notes during the October 1997 Operator Certification Exam. An exam proctor observed Mr. Khan referring to notes not provided by the proctors. Mr. Khan's exam was terminated, and he was excused from the exam.

The investigation revealed that Mr. Khan, in violation of exam rules, brought notes to the exam and referred to those notes during the exam

George Christner

Name of Facility: City of Sutter Creek

Misconduct: Attested to False and Misleading Application Information

Discipline: Letter of Reprimand

The Division found that Mr. Christner attested to false and misleading information on an application submitted by the City's Building Inspector, who claimed to have worked the appropriate amount of hours for a Grade I certificate. The Building Inspector voluntarily surrendered his certificate when it was pointed out that the claim could not be substantiated by any of the Plant documentation.

Discipline could have been more severe. The Division took into consideration that Mr. Christner was under pressure from both City Directors and management to have the Building Inspector obtain an operator certificate.

John Claus

Name of Facility: Yucaipa Wastewater Treatment Facility

Misconduct: Provided False and Misleading Application Information

Discipline: 12 month Suspension of Grade V certificate (suspended if subject agrees to one-year probation).

The Division found that Mr. Claus provided false and misleading information about experience gained at the Yucaipa facility. Mr. Claus worked as a laboratory technician, but submitted that he worked as an operator. His Yucaipa time could not be substantiated and has been disallowed.

The Division took into consideration that the infraction occurred 10 years ago and that he may have been misled by his supervisor about qualifying experience.

Daniel DuCasse

Name of Facility: Jurupa Community Services District

Misconduct: Provided False and Misleading Application Information

Discipline: Grade II Certificate Revoked; Cannot reapply for one-year.

The Division found that Mr. DuCasse worked primarily as a collection systems operator during the time period he claimed to have worked as a wastewater treatment plant operator. The investigation found that the total amount of hours Mr. DuCasse actually worked as a wastewater treatment plant operator was substantially less than the appropriate amount necessary to hold a certificate, and less than what he had claimed on applications to the Office of Operator Certification.

Bernardino Lopez

Name of Facility: Niland Sanitary District

Misconduct: Provided False and Misleading Discharge Report Information, Used Fraud and Deception as an Operator

Discipline: Grade II Certificate Revoked; Cannot reapply for one (1) year.

The US Environmental Protection Agency found that Mr. Lopez provided false and misleading waste discharge report data to the Colorado River Basin Regional Water Quality

Control Board. Mr. Lopez, under the direction of his supervisor, repeatedly added chlorine to samples to be tested for coliform prior to samples being actually tested. Mr. Lopez continued this practice after the supervisor was no longer employed at the facility

John Anderson

Name of Facility: Chino Basin Municipal Water District

Misconduct: Violated Confidentiality of Examination Questions

Discipline: Grade V Certificate Revoked; Cannot reapply for any certification for two (2) years.

The Division found that Mr. Anderson, who was a former examination subcommittee member, provided confidential examination materials to operators. Draft examinations (for subcommittee review only) were found at several locations at his Plant and were readily accessible to operators. Mr. Anderson admitted to using actual examination questions on review handouts that he distributed during certification review classes he conducted prior to several operator examinations.

Settlement Agreement

Paul Siebensohn

Name of Facility: Auburn Wastewater Treatment Facility

Allegation: Provided False and Misleading Application Information (No determination if violation was knowing)

The Division found that Mr. Siebensohn worked primarily as a laboratory technician during the time period he claimed to have worked as a wastewater treatment plant operator at Auburn. His time at Auburn was disallowed and he cannot apply for higher certification until after November 5, 2000. During the inquiry, the Division allowed Mr. Siebensohn to acquire experience while working as an operator at Petaluma and qualify for a Grade I certificate.

Latest Offerings From Sac State

Wastewater Plant Operators are familiar with Sacramento State study materials. Now Utility Managers and Spanish speaking Collections Operators can benefit.

“Utility Management” is the latest training course now being offered by the Office of Water Programs. The course is prepared for persons working to advance or strengthen their skills in the areas of supervision and management.

A customized Spanish translation of portions of, “Operation and Maintenance of Wastewater Collection Systems,” is now available to fulfill the needs of the Spanish speaking Collections Operators. For more information on these and other wastewater courses, contact the Office of Water Programs, 600 J Street, Sacramento, Ca 95819, (916) 278-6142. Their website is www.owp.csus.edu.

Did You Hear About That Job?

The Office of Operator Certification is not allowed to provide any personal information without express written permission from the operator. This includes mailing lists that are made available to organizations seeking applicants for job openings. If you prefer to not be included on any listing, you need do nothing. If you would like to be included on mailing lists we provide for job openings, please fill out (or copy and fill out) the form below and return to us by mail.

Not providing a completely filled out form, including your signature, date, certificate grade and number, and your home phone number to verify your permission will prevent us from providing personal contact information to organizations seeking applicants for job openings.

I give the Office of Operator Certification my permission to provide contact information to organizations seeking applicants for a job opening.

Signature

Date

Printed Name

Certificate Grade and Number

Current **Home** Phone Number to Verify the Above Permission _____



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